Timothy W. Burns (admitted pro hac vice) WI Bar 1068086 Jesse J. Bair (admitted pro hac vice) WI Bar 1083779 3 **BURNS BAIR LLP** 10 East Doty Street, Suite 600 Madison, WI 53703 4 Telephone: (608) 286-2302 Email: tburns@burnsbair.com 5 ibair@burnsbair.com 6 Special Insurance Counsel to 7 The Official Committee of Unsecured Creditors

#### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION

In re Case No. 23-30564 11 THE ROMAN CATHOLIC ARCHBISHOP Chapter 11 OF SAN FRANCISCO, 12 MONTHLY PROFESSIONAL FEE Debtor and Debtor in Possession. STATEMENT FOR BURNS BAIR LLP 13 FOR APRIL 2024

#### TO ALL INTERESTED PARTIES AND TO THEIR COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that Burns Bair LLP, special insurance counsel to the Official Committee of Unsecured Creditors (the "Committee"), hereby files its monthly professional fee statement for the period April 1, 2024 through April 30, 2024 (the "Fee Period"), pursuant to the Order Establishing Procedures and Authorizing Payment of Professional Fees and Expenses on a Monthly Basis (the "Compensation Order"), entered on October 16, 2023 [ECF No. 212]. The total fees and expenses incurred by Burns Bair LLP on behalf of the Committee for the Fee Period are as follows:

Period	Fees	Expenses	Total
April 1, 2024 through April 30, 2024	\$73,690.00 1	\$0.92	\$73,690.92
Net Total Allowed Payments this Statement Period (80% of fees and 100% of expenses)	\$58,952.00	\$0.92	\$58,952.92

<sup>&</sup>lt;sup>1</sup> Burns Bair will contribute ten percent of all fees it receives in this case on a final basis to a settlement trust that is approved as part of a plan of reorganization. As such fees are paid, Burns Bair will hold those funds in a trust account until a settlement trust is established through a plan of reorganization.

Case: 23-30564 Doc# 644 Filed: 05/20/24 Entered: 05/20/24 09:11:10 Page 1 of

13

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Attached hereto at Exhibit 1 is Burns Bair's itemized billing statement for its fees and expenses billed during the Fee Period. Pursuant to the Compensation Order, the Net Total Allowed Payments detailed in the chart above shall be paid from funds held by the estate of the Debtor, The Roman Catholic Archbishop of San Francisco, unless an objection is filed with the Clerk of the Court and served upon Burns Bair LLP within 14 days after the date of service of this monthly professional fee statement. Dated: May 20, 2024 **BURNS BAIR LLP** By: /s/ Jesse J. Bair Jesse J. Bair Special Insurance Counsel to the Official Committee of Unsecured Creditors 

Case: 23-30564 Doc# 644 Filed: 05/20/24 Entered: 05/20/24 09:11:10 Page 2 of

# EXHIBIT 1



10 E. Doty St., Suite 600 Madison, Wisconsin 53703-3392 608-286-2302 www.BurnsBair.com

Official Committee of Unsecured Creditors of Archbishop of San Francisco

**Issue Date:** 5/9/2024

**Bill #:** 01431

Matter: Insurance

#### **PROFESSIONAL SERVICES RENDERED**

## **Committee Meetings**

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
4/3/2024	Timothy Burns	Participate in state court counsel meeting for insurance purposes re discovery, mediation, and case strategy (1.1);	1.10	\$1,232.00
4/3/2024	Jesse Bair	Prepare for state court counsel meeting (.1); participate in state court counsel meeting for insurance purposes re discovery, mediation, and overall case strategy (1.1); participate in post-meeting conference with T. Burns re outcome of same and next-steps (.1);	1.30	\$1,170.00
		Totals for Committee Meetings	2.40	\$2,402,00

## **Fee Applications**

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
4/3/2024	Jesse Bair	Review comments from the fee examiner re interim fee application and prepare for call with fee examiner re same (.4);	0.40	\$360.00
4/3/2024	Jesse Bair	Participate in call with the fee examiner re Burns Bair first interim fee application (.7);	0.70	\$630.00
4/3/2024	Brenda Horn-Edwards	Correspond with J. Bair re first interim fee application (.1);	0.10	\$34.00
4/9/2024	Jesse Bair	Correspond with K. Dempski re interim fee application hearing and with G. Brown re monthly fee submissions (.1);	0.10	\$90.00
4/11/2024	Jesse Bair	Analysis of Burn Bair invoice for privilege and confidential information (.6);	0.60	\$540.00
4/15/2024	Jesse Bair	Correspond with the Court and K. Dempski re upcoming hearing re professional interim fee applications (.1);	0.10	\$90.00

Case: 23-30564 Doc# 644 Filed: 05/20/24 Entered: 05/20/24 09:11:10 Page 4 of

4/15/2024 J		Review and respond to questions from the Committee re Burns Bair monthly fee submission and case insurance projects (.4);	0.40	\$360.00
4/17/2024 J	lesse Bair	Review draft fee examiner report (.2); review related correspondence with PSZJ, the debtor, the court, and fee examiner re same and upcoming hearing (.1);	0.30	\$270.00
4/18/2024 J		Prepare for interim application fee hearing (.2):	0.20	\$180.00
4/18/2024 J		Attend interim professional fee application hearing (.6);	0.60	\$540.00
4/18/2024 J		Review Burns Bair monthly fee submission (.1);	0.10	\$90.00
4/18/2024 J		Review and respond to correspondence with G. Brown and B. Horn-Edwards re proposed order granting interim fee applications and fee submission process going-forward (.1);	0.10	\$90.00
4/18/2024 B		Draft monthly professional fee statement and certificate of service (.2); correspond with J. Bair (.1);	0.30	\$102.00
4/19/2024 B		File monthly professional fee statement in CM/ECF (.1); Email monthly professional fee application to service list and J. Bair (.1);	0.20	\$68.00
4/19/2024 B		Draft order granting first interim fee application (.2); correspond with J. Bair (.1);	0.30	\$102.00
4/19/2024 J		Review and edit draft Order approving Burns Bair interim fee application (.2); review and respond to correspondence with the fee examiner, B. Horn-Edwards and G. Brown re same (.1);	0.30	\$270.00
4/19/2024 B	Brenda Horn-Edwards	Correspond with E. Frejka re proposed order granting first interim fee application (.1);	0.10	\$34.00
4/19/2024 B		Lodge proposed order granting first interim fee application with Court (.1);	0.10	\$34.00
		Totals for Fee Applications	5.00	\$3,884.00

# **Insurance Recovery Activities**

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
4/1/2024	Timothy Burns	Review correspondence from PSZJ regarding upcoming state court counsel meeting (.2);	0.20	\$224.00
4/1/2024	Timothy Burns	Review revised version of Mediation Motion with J. Stang's comments (.4); draft internal memo re strategy re same (.4); participate in call with state court counsel re same (.2); email to J. Bair re same (.1);	1.10	\$1,232.00

Case: 23-30564 Doc# 644 Filed: 05/20/24 Entered: 05/20/24 09:11:10 Page 5 of 13

4/1/2024	Timothy Burns	Participate in call with J. Stang re mediation	0.50	\$560.00
	·	and insurance strategy and action items in connection with same (.5);		
4/1/2024	Jesse Bair	Review T. Burns correspondence re mediation motion strategy (.1);	0.10	\$90.00
4/1/2024	Brian Cawley	Begin researching and analyzing California case law re duty to cooperate issues when an insurer is defending under a reservation of rights (2.4);	2.40	\$1,320.00
4/2/2024	Brian Cawley	Continue researching and analyzing California case law re duty to cooperate and no voluntary payment clause issues when an insurer is defending under a reservation of rights (2.3);	2.30	\$1,265.00
4/2/2024	Timothy Burns	Review multiple correspondence from TNCRRG re TNCRRG's response to the Committee's discovery requests (.2);	0.20	\$224.00
4/2/2024	Timothy Burns	Review correspondence with CNA and J. Bair re CNA's document production status (.1);	0.10	\$112.00
4/2/2024	Jesse Bair	Brief review re TNCRRG policy production (.1); correspond with B. Cawley re supplemental review needed of same and updates to coverage chart (.1);	0.20	\$180.00
4/2/2024	Brian Cawley	Analyze TNCRRG policies for applicable coverage (1.3);	1.30	\$715.00
4/2/2024	Jesse Bair	Review and respond to correspondence with CNA re document production status (.1);	0.10	\$90.00
4/3/2024	Timothy Burns	Review correspondence with PSZJ and J. Bair re insurance Rule 2004 issues (.2);	0.20	\$224.00
4/3/2024	Timothy Burns	Review the insurers' Rule 2004 motion and related exhibits (.4); correspond with J. Bair and PSZJ re same (.1);	0.50	\$560.00
4/3/2024	Brian Cawley	Finish researching and analyzing California case law re duty to cooperate and no voluntary payment clause issues when an insurer is defending under a reservation of rights (1.7);	1.70	\$935.00
4/3/2024	Brian Cawley	Begin drafting memo providing survey of California case law re policyholder ability to resolve claims when insurer is defending under a reservation of rights (1.4);	1.40	\$770.00
4/3/2024	Jesse Bair	Review and respond to correspondence with PSZJ re the insurers' document productions to date and certain insurers' recent Rule 2004 motion on the Committee (.2);	0.20	\$180.00

4/4/2024	Jesse Bair	Review correspondence from the Debtor re recent document production (.1); provide instructions to and answer follow-up questions from B. Cawley re review of recently produced debtor insurance documents (.2);	0.30	\$270.00
4/4/2024	Brian Cawley	Finish drafting memo providing survey of California case law re policyholder ability to resolve claims when insurer is defending under a reservation of rights (2.5);	2.50	\$1,375.00
4/4/2024	Timothy Burns	Review and respond to correspondence with B. Michael re the debtor's recent production of additional insurance materials (.2);	0.20	\$224.00
4/4/2024	Timothy Burns	Review and respond to correspondence with PSZJ re status of case projects (.2);	0.20	\$224.00
4/4/2024	Timothy Burns	Review and respond to correspondence with the debtor and J. Bair re the debtor's recent production of additional insurance materials (.1);	0.10	\$112.00
4/4/2024	Timothy Burns	Review and respond to internal BB correspondence re revised coverage chart (.1);	0.10	\$112.00
4/4/2024	Brian Cawley	Begin analyzing recently produced debtor insurance materials (1.7);	1.70	\$935.00
4/4/2024	Brian Cawley	Discuss updates to coverage chart with J. Bair (.2);	0.20	\$110.00
4/4/2024	Brian Cawley	Update coverage chart to reflect details of new TNCRRG policies (.8);	0.80	\$440.00
4/5/2024	Jesse Bair	Review the Committee's opposition to certain insurers' Rule 2004 motion (.1);	0.10	\$90.00
4/5/2024	Brian Cawley	Continue reviewing and analyzing recently produced debtor insurance materials (3.2);	3.20	\$1,760.00
4/6/2024	Timothy Burns	Review and respond to correspondence with J. Stang and state court counsel re issues relating to parishes (.2);	0.20	\$224.00
4/6/2024	Timothy Burns	Review insurers' joinders in 2004 Application and the Committee's opposition to same (.2);	0.20	\$224.00
4/8/2024	Brian Cawley	Complete review of recently received insurance documents and draft email to J. Bair regarding same (2.7);	2.70	\$1,485.00
4/8/2024	Timothy Burns	Review and revise updated version of the mediation motion (.6);	0.60	\$672.00
4/8/2024	Timothy Burns	Participate in call with J. Bair re mediation motion issues (.1);	0.10	\$112.00
4/8/2024	Jesse Bair	Review and edit revised mediation motion (.3); participate in call with T. Burns re same (.1);	0.40	\$360.00

4/8/2024	Jesse Bair	Review and respond to correspondence with B. Michael re meeting with the Debtor re various case issues (.1);	0.10	\$90.00
4/9/2024	Jesse Bair	Review the debtor's opposition to the insurers' Rule 2004 motion (.2);	0.20	\$180.00
4/9/2024	Jesse Bair	Review and respond to additional correspondence with the debtor and PSZJ re call to discuss various case issues (.1);	0.10	\$90.00
4/10/2024	Timothy Burns	Review multiple correspondence with PSZJ and the debtor re call to discuss various case issues (.2);	0.20	\$224.00
4/10/2024	Jesse Bair	Participate in conference with T. Burns re insurance mediation strategy (.1);	0.10	\$90.00
4/10/2024	Jesse Bair	Correspond with the Debtor and PSZJ re meet and confer re the insurers' Rule 2004 requests (.1);	0.10	\$90.00
4/10/2024	Timothy Burns	Participate in conference with J. Bair re insurance mediation strategy (.1);	0.10	\$112.00
4/11/2024	Brian Cawley	Respond to J. Bair request for research on insured settlement under indemnity policy (.4);	0.40	\$220.00
4/11/2024	Jesse Bair	Brief review of K. Jonch-Clausen email memo re non-admitted insurer bonding requirements under California law (.1);	0.10	\$90.00
4/11/2024	Jesse Bair	Review B. Cawley research memorandums re various duty to settles issues under California law (.4);	0.40	\$360.00
4/11/2024	Jesse Bair	Additional correspondence with PSZJ and T. Burns re team strategy meeting (.1);	0.10	\$90.00
4/12/2024	Jesse Bair	Participate in call with J. Stang re parish insurance coverage issues in relation to the Committee's response to the debtor's first day motions and insurance discovery issues (.2);	0.20	\$180.00
4/12/2024	Jesse Bair	Provide instructions to B. Cawley re analysis needed re parish insurance coverage issues (.2);	0.20	\$180.00
4/12/2024	Jesse Bair	Review B. Cawley summary re debtor additional insured endorsement over time as related to parish coverage (.2); draft email memorandum to PSZJ re same (.5);	0.70	\$630.00
4/12/2024	Jesse Bair	Review correspondence with PSZJ re meet and confer with the debtor re the insurers' Rule 2004 requests (.1);	0.10	\$90.00
4/12/2024	Brian Cawley	Draft email to J. Bair summarizing results of policy analysis re debtor additional insured endorsement over time (.3);	0.30	\$165.00
4/12/2024	Timothy Burns	Review email memo re parish and additional insured coverage over time (.2);	0.20	\$224.00

4/12/2024	Brian Cawley	Discuss policy analysis project with J. Bair re parish and additional insured coverage (.2);	0.20	\$110.00
4/12/2024	Brian Cawley	Analyze historical debtor policies re parish and additional insured coverage over time in connection with the Committee's first day motion responses and particular discovery issues (2.3);	2.30	\$1,265.00
4/14/2024	Timothy Burns	Review draft Committee response to debtor first-day motions (.3);	0.30	\$336.00
4/14/2024	Timothy Burns	Review Debtor's response to insurers' 2004 application (.2);	0.20	\$224.00
4/15/2024	Karin Jonch-Clausen	Research California case law and statutes re an insurer's duties to insolvent policyholder (1.2); draft memo summarizing findings (1.1);	2.30	\$1,265.00
4/15/2024	Jesse Bair	Review additional correspondence with B. Michael, T. Burns, and J. Stang re Committee professionals case strategy call (.1);	0.10	\$90.00
4/16/2024	Jesse Bair	Review and respond to T. Burns correspondence re Chubb coverage years (.1);	0.10	\$90.00
4/16/2024	Jesse Bair	Review B. Michael correspondence re the Committee's first day motion response and mediation updates (.1);	0.10	\$90.00
4/16/2024	Timothy Burns	Review internal research memos re insurer settlement obligations and related case law (.8);	0.80	\$896.00
4/16/2024	Brian Cawley	Research Industrial Underwriters corporate relationship (.3);	0.30	\$165.00
4/17/2024	Jesse Bair	Review the debtor's and insurers' Rule 2004 status report to the court (.1);	0.10	\$90.00
4/17/2024	Jesse Bair	Review the Committee's draft response to the debtor's first day motions, with particular focus on insurance issues (.5);	0.50	\$450.00
4/17/2024	Jesse Bair	Review B. Michael email memo re case developments and updates (.1);	0.10	\$90.00
4/18/2024	Timothy Burns	Review insurers' status report re 2004 exam (.2);	0.20	\$224.00
4/18/2024	Timothy Burns	Review and respond to correspondence with state court counsel re potential test cases (.1);	0.10	\$112.00
4/19/2024	Timothy Burns	Prepare for Committee professionals strategy meeting (.1); participate in portion of team strategy meeting with PSZJ and J. Bair re case updates, insurance issues, mediation, and overall case strategy (1.2);	1.30	\$1,456.00
4/19/2024	Timothy Burns	Prepare memo to PSZJ re potential test case strategy (.6):	0.60	\$672.00

Case: 23-30564 Doc# 644 Filed: 05/20/24 Entered: 05/20/24 09:11:10 Page 9 of 13

4/19/2024	Jesse Bair	Supplemental analysis re differences between the Debtor and Committee coverage charts, including analysis of policy documents and secondary evidence in	1.40	\$1,260.00
		connection with same, and draft revised version of Committee coverage chart to reconcile certain differences (1.4);		
4/19/2024	Jesse Bair	Provide instructions to N. Kuenzi re assessment needed re LMI insolvencies (.2); analyze N. Kuenzi LMI insolvency analysis and make further edits to Committee coverage chart to incorporate same (.2);	0.40	\$360.00
4/19/2024	Jesse Bair	Brief review re Chicago Insurance Company's preliminary response to the Committee's insurance discovery requests (.1);	0.10	\$90.00
4/19/2024	Jesse Bair	Participate in call with PSZJ and T. Burns re case updates, insurance issues, mediation, and overall case strategy (1.6);	1.60	\$1,440.00
4/19/2024	Nathan Kuenzi	Analyze LMI umbrella and excess insurance policies' quota share participants, identify solvent/insolvent insurers and corresponding participation on risk, and draft summary email for J. Bair re same (2.6);	2.60	\$1,430.00
4/19/2024	Nathan Kuenzi	Participate in conference with J. Bair re assessment needed re LMI insolvencies (.2);	0.20	\$110.00
4/20/2024	Timothy Burns	Review final of the Committee's response to the debtor's first day motions (.2);	0.20	\$224.00
4/20/2024	Timothy Burns	Review J. Bair correspondence with B. Michael re insurance parameters re valuation analysis (.1);	0.10	\$112.00
4/20/2024	Timothy Burns	Brief review of letters from Westport, Fireman's Fund, and Appalachian responding to the Committee's document requests (.1);	0.10	\$112.00
4/22/2024	Jesse Bair	Participate in conference with B. Cawley re projects needed re drafting insurance section of Committee mediation brief and preparing insurance overview PowerPoint for in-person Committee meeting (.4); follow correspondence with B. Cawley re additional instructions and relevant documents in connection with same (.2);	0.60	\$540.00
4/22/2024	Jesse Bair	Participate in conference with T. Burns re preparations for upcoming insurance meeting with the Debtor (.1);	0.10	\$90.00
4/22/2024	Brian Cawley	Begin creating insurance overview presentation for upcoming in-person Committee meeting (3.6);	3.60	\$1,980.00
Case: 2	23-30564 Doc# 644		.1:10	Page 10 of

4/22/2024	Brian Cawley	Discuss new insurance overview and	0.40	\$220.00
4/23/2024	Timothy Burns	mediation proejcts with J. Bair (.4); Prepare for case insurance call with the debtor (.1); participate in meeting with the debtor, PSZJ, and J. Bair re various case	1.60	\$1,792.00
		insurance issues (1.5);		
4/23/2024	Brian Cawley	Begin researching particular privilege issues under California law in response to Chubb's refusal to produce certain insurance materials (2.4);	2.40	\$1,320.00
4/23/2024	Brian Cawley	Correspond with T. Burns and J. Bair regarding privilege issues raised by Chubb and research project in connection with same (.3);	0.30	\$165.00
4/23/2024	Brian Cawley	Continue creating insurance overview presentation for upcoming in-person Committee meeting (2.7);	2.70	\$1,485.00
4/23/2024	Brian Cawley	Begin drafting outline of insurance section of the Committee's mediation statement (.9);	0.90	\$495.00
4/23/2024	Jesse Bair	Prepare for case insurance call with the debtor (.1); participate in meeting with the debtor, PSZJ, and T. Burns re various case insurance issues (1.5);	1.60	\$1,440.00
4/23/2024	Jesse Bair	Correspond with PSZJ re follow-up meeting with the debtor re case insurance issues (.1);	0.10	\$90.00
4/23/2024	Timothy Burns	Review Chubb's responses and objections to the Committee's insurance document requests (.2); correspond with internal team re same and follow-up research in response to Chubb's arguments (.2);	0.40	\$448.00
4/24/2024	Brian Cawley	Continue creating insurance overview presentation for upcoming in-person Committee meeting (4.6);	4.60	\$2,530.00
4/24/2024	Timothy Burns	Participate in call with state court counsel re mediation and insurance strategy (.2);	0.20	\$224.00
4/24/2024	Jesse Bair	Draft email memo to debtor re all discrepancies between the debtor and Committee coverage charts and additional insurance information needed for production from the debtor (.7);	0.70	\$630.00
4/24/2024	Brian Cawley	Finish researching privilege issues raised by Chubb in connection with its refusal to produce various insurance materials to the Committee (2.0);	2.00	\$1,100.00
4/24/2024	Brian Cawley	Draft memo for T. Burns on privilege issues raised by Chubb in connection with its refusal to produce various insurance materials (.7);	0.70	\$385.00

4/25/2024	Jesse Bair	Review proposed agenda for upcoming in- person Committee and state court counsel meeting (.1); review correspondence with B. Michael and T. Burns re same and additional meeting with the Debtor re case insurance issues (.1);	0.20	\$180.00
4/25/2024	Brian Cawley	Research California law on lost policy issues for use in connection with Committee insurance presentation and mediation statement (1.4);	1.40	\$770.00
4/25/2024	Brian Cawley	Begin drafting insurance section of Committee mediation statement (3.2);	3.20	\$1,760.00
4/26/2024	Brian Cawley	Finish creating insurance overview presentation for use during in-person Committee meeting, including finalization of related insurance summary tables and graphics (6.7);	6.70	\$3,685.00
4/26/2024	Brian Cawley	Additional research re lost policy issues in connection with Committee insurance overview presentation and mediation statement (.7);	0.70	\$385.00
4/26/2024	Timothy Burns	Participate in call with B. Michael re case discovery issues (.3); correspond with internal team re same (.1);	0.40	\$448.00
4/26/2024	Timothy Burns	Review and revise agenda for Committee in-person meeting (.3);	0.30	\$336.00
4/26/2024	Timothy Burns	Listen to voicemail from and correspond with the debtor re case insurance issues (.3);	0.30	\$336.00
4/26/2024	Jesse Bair	Review T. Burns email memo re outcome of B. Michael call re mediation and case discovery issues (.1);	0.10	\$90.00
4/28/2024	Jesse Bair	Correspondence with B. Michael re insurance allocation analysis issues and call to discuss same (.1);	0.10	\$90.00
4/29/2024	Jesse Bair	Participate in conference with T. Burns re insurance case strategy and related insurance projects (.1);	0.10	\$90.00
4/29/2024	Jesse Bair	Participate in BB team conference re case developments and potential next-steps and assignments (.1);	0.10	\$90.00
4/29/2024	Brian Cawley	Research California law re the insurers' purported expected or intended defense in connection with insurance section of the Committee's mediation statement (2.2);	2.20	\$1,210.00
4/29/2024	Brian Cawley	Continue drafting insurance section of Committee mediation statement, including associated legal research (3.6);	3.60	\$1,980.00
4/29/2024	Brian Cawley	Conduct preliminary assessment of potential test cases (.6);	0.60	\$330.00

Case: 23-30564 Doc# 644 Filed: 05/20/24 Entered: 05/20/24 09:11:10 Page 12 of 13

## **EXPENSES**

<u>Date</u>	<u>Description</u>	<u>Amount</u>
04/19/2024	Postage	\$0.92
Total Expenses		\$0.92

# **Timekeeper Summary**

<u>Name</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Brenda Horn-Edwards	Paralegal	1.10	\$340.00	\$374.00
Brian Cawley	Associate	64.90	\$550.00	\$35,695.00
Jesse Bair	Partner	18.40	\$900.00	\$16,560.00
Karin Jonch-Clausen	Associate	2.30	\$550.00	\$1,265.00
Nathan Kuenzi	Associate	2.80	\$550.00	\$1,540.00
Timothy Burns	Partner	16.30	\$1,120.00	\$18,256.00

Total Due This Invoice: \$73,690.92